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CITY OF OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ANLIKER

CASE NO. 3:25-cv-6207-LJC
Civil Rights

Plaintiff.

V.

CITY OF OAKLAND; FIVE RIVERS TRANSIT SOLUTIONS, INC.

Defendants.

**STIPULATION AND [PROPOSED] MODIFIED
ORDER TO ALLOW PLAINTIFF MORE
TIME TO SERVE DEFENDANT FIVE
RIVERS TRANSIT SOLUTIONS, INC.
AND TO CONTINUE THE CASE
MANAGEMENT CONFERENCE**

Action Filed: July 23, 2025

STIPULATION

Plaintiff JOHN ANLIKER (“Plaintiff”) and Defendant CITY OF OAKLAND (“Defendant”) – Plaintiff and Defendant together the “Parties” – hereby stipulate and request that the Court allow Plaintiff more time to serve Defendant Five Rivers Transit Solutions, Inc. and to Continue the Case Management Conference currently set for October 23, 2025, until January 15, 2026. This request for an extension of time of the case deadlines is based on FRCP 4(m) and the

1 accompanying declaration of Aaron Clefton, Esq.:

- 2 1. Plaintiff filed this action on July 23, 2025. Dkt. No. 1. The Clerk issued the summons
3 on July 24, 2025. Dkt. No. 6. Pursuant to FRCP 4(m) Plaintiff has until October 22,
4 2025, to serve Defendants.
- 5 2. On July 24, 2025, the Court issued an Order setting the initial Case Management
6 Conference in this matter for October 23, 2025. Dkt. No. 5.
- 7 3. On July 29, 2025, Plaintiff's office sent the summons, complaint, and other case
8 initiating documents to Valpro Attorney Services to execute service of process on
9 Defendants. Declaration of Aaron Clefton in support of Stipulation and [Proposed]
10 Order to Allow Plaintiff More Time to Serve Defendant Five Rivers Transit Solutions,
11 Inc. and to Continue the Case Management Conference ("Clefton Dec.") at ¶ 2.
- 12 4. Defendant City of Oakland was served with the summons, complaint and other case
13 initiating documents on July 30, 2025. Dkt. No. 8. Defendant City of Oakland filed an
14 Answer on August 20, 2025. Dkt. No. 9.
- 15 5. Defendant Five Rivers Transit Solutions, Inc. ("Five Rivers") has not yet been served
16 despite several attempts by Plaintiff's process servers. Clefton Dec. at ¶ 3.
- 17 6. On July 30, 2025, a process server employed by Valpro Attorney Services attempted
18 service on Five Rivers at 4849 East 12th Street, Oakland, CA 94601, which is the
19 address listed for the company's agent of service on the California Secretary of State
20 website. Clefton Dec. at ¶¶ 4-5, Ex. 1 and Ex. 2. The process server reported that the
21 building was vacant/empty. Plaintiff's counsel requested that the process server attempt
22 service again at the same address, but this time attempting service at the back of the
23 building. Clefton Dec. at ¶ 5, Ex. 2.
- 24 7. On August 5, 2025, the process server again attempted service at 4849 East 12th Street,
25 Oakland, CA 94601. The process server spoke with a security guard at the gate of the
26 building who stated that Five Rivers had moved. Clefton Dec. at ¶ 5, Ex. 2.
- 27 8. After conducting some research, Plaintiff's counsel found a home address for the
28 Agent for Service for Five River, Surinder Mann, at 757 Limerick Lane, Alameda, CA

1 94502. Clefton Dec. at ¶ 6, Ex. 3. Surinder Mann is also listed as the Chief Executive
 2 Officer and Chief Financial Officer of Five River. *Id.* at Ex. 1.

3 9. On August 5, 2025, after conducting research regarding other lawsuits Surinder Mann
 4 has been involved in, Plaintiff's counsel emailed Surinder Mann's former attorney,
 5 Aaron Hancock, who represented Surinder Mann in the housing lawsuit, to ask him to
 6 accept service. Mr. Hancock did not respond. Clefton Dec. at ¶ 7, Ex. 4.

7 10. On August 6, 2025, Plaintiff's counsel requested that the process server attempt service
 8 at home address of Surinder Mann. The process server attempted service at the new
 9 address on four occasions. However, when the process server spoke with a resident of
 10 the home, they stated that the Surinder Mann and Five Rivers were unknown to them
 11 and refused to open the door or provide further information. Clefton Dec. at ¶¶ 5, 8, Ex.
 12 2.

13 11. On August 19, 2025, Plaintiff's counsel contacted a second process server company,
 14 One Hour Legal, and requested that they attempt to serve Five Rivers at 4849 East 12th
 15 Street, Oakland, CA 94601, which is the address listed for the company's agent of
 16 service on the California Secretary of State website. Clefton Dec. at ¶ 9, Ex. 5.

17 12. On August 21, 2025, a process server employed by One Hour Legal attempted service
 18 on Five Rivers at the requested address. However, the process server was informed that
 19 Five Rivers was no longer at that location. Clefton Dec. at ¶ 9, Ex. 5.

20 13. On October 2, 2025, Plaintiff's counsel again emailed Surinder Mann's former attorney
 21 Aaron Hancock and requested him to accept service, but Mr. Hancock did not respond.
 22 Clefton Dec. Clefton Dec. at ¶ 10, Ex. 4.

23 14. Counsel for Plaintiff and Defendant City of Oakland have met and conferred regarding
 24 the issues with serving Five Rivers. Both Parties agree that Five Rivers is an
 25 indispensable Party to this lawsuit.

26 15. Therefore, the Parties jointly stipulate and request that the Court allow Plaintiff until
 27 January 8, 2026, to serve Defendant Five Rivers Transit Solutions, Inc.

28 16. Plaintiff requests that the Court allow Plaintiff to serve Defendant Five Rivers Transit

1 Solutions by publication, given their apparent failure to provide a lawfully available
 2 agent for service or maintain up to date secretary of state information.

3 17. The Parties jointly stipulate and request that the Court continue the Case Management
 4 Conference currently set for October 23, 2025, to January 15, 2026, so that all Parties
 5 can be represented at Case Management Conference.

6 18. The Parties further jointly stipulate to exchange initial disclosures on January 29, 2026.

7 **IT IS SO STIPULATED.**

8 DATED: October 8, 2025

CLEFTON DISABILITY LAW

9 */s/ Aaron Clefton*
 10 AARON CLEFTON, Esq.
 11 Attorneys for Plaintiff
 JOHN ANLIKER

12 DATED: October 7, 2025

RYAN RICHARDSON, City Attorney

13
 14 */s/ Montana B. Baker*
 15 MONTANA B. BAKER, Deputy City Attorney
 16 Attorneys for Defendant
 CITY OF OAKLAND

17 **FILER'S ATTESTATION**

18 Pursuant to Local Rule 5-1, I hereby attest that on October 7, 2025, I, Aaron Clefton,
 19 attorney with Rein & Clefton, received the concurrence of Montana B. Baker, Esq. in the filing
 20 of this document.

21 */s/ Aaron Clefton*
 22 Aaron Clefton

[PROPOSED] ORDER AS MODIFIED

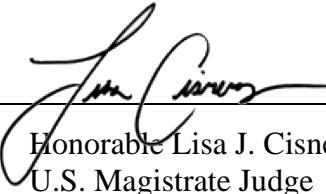
2 Pursuant to the stipulation of the parties, and for good cause shown, IT IS SO ORDERED.

3 The case deadlines are continued as follows:

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- 5 Plaintiff shall serve Defendant Five Rivers Transit Solutions, Inc. by January 8, 2026. ~~Plaintiff may use service by publication to do so.~~
- 6 The Case Management Conference will be continued until January 15, 2026.
- 7 The Parties shall exchange initial disclosures on or before January 29, 2026.
- 8 • **Plaintiff's request to serve Five Rivers via publication is denied. If Plaintiff is unable to effectuate service through other means, Plaintiff may file an administrative motion pursuant to Civil Local Rule 7-11 or a regularly noticed motion pursuant to Civil Local Rule 7-2 to seek a court order for service upon the California Secretary of State pursuant to California Code of Civil Procedure § 416.10.**

12 Dated: October 20, 2025



13 Honorable Lisa J. Cisneros
14 U.S. Magistrate Judge

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